

II. Remarks

Claims 7-18 are pending in the application. Claims 7 and 13 have been amended. No claims have been cancelled. No new claims have been added.

Rejections Under 35 USC § 112

Claims 7-18 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Applicants respectfully assert that the amendments to claims 7 and 13 are being made to more particularly point out and distinctly claim the subject matter, which Applicants regard as their invention. As such, amended claims 7 and 13 have addressed and overcome this rejection by clarifying that the second cutting means cuts an additional part of the first side.

Rejections Under 35 USC § 102

Claims 7-18 are rejected under 35 USC §102(a) as being anticipated by U.S. Patent No. 4,729,273 issued to Fazis (Fazis). Applicant's invention is directed to device for producing a contour of a planiform piece for an interior trim of a motor vehicle. The device includes a cutting means which has a first and second cutting means. The first means is for cutting said piece, for a simultaneous production of at least said apex, according to said profile P, and of said first side on a fraction F, of its length extending from said apex, wherein the fraction F is straight. The second means is for cutting said piece, capable of permitting the production of said first side including at least one part in addition to fraction F, and wherein said first and second cutting means overlap at fraction F and function sequentially.

Among other things, Fazis does not disclose overlapping first and second cutting means that function sequentially to produce said first side including at least one part in addition to fraction F. Fazis discloses at, column 4 lines 19 – 40, that three cutting blades are provided (3, 4, and 5) and that blades 3,4 are fitted respectively on blade 5 at surfaces 18 and 19. Therefore, the blades of Fazis cannot overlap the work piece and cannot function sequentially. Accordingly, claims 7 and 13, as amended, are patentable over Fazis. Applicants respectfully request allowance of claims 7 and 13.

With regard to claims 8-12 and 14-18, these claims ultimately depend on claim 7 and 13 respectively. Therefore, these claims are patentable over Fazis for at least the same reasons given above in support of claims 7 and 13.

SUMMARY

Pending Claims 7-18 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,

1/10/05
Date

Raymond J. Vivacqua
Raymond J. Vivacqua (Reg. No. 45,369)
Attorney for Applicants